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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/501,043

10/14/2004

Geir Monsen Vavik

CU-3831 RJS

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11/27/2006

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EXAMINER

GREGORY, BERNARR E

ART UNIT

PAPER NUMBER

3662

DATE MAILED: 11/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/501,043

Applicant(s)

VAVIK, GEIR MONSEN

Examiner

Bernarr E. Gregory

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 59-114 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 59-114 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 59-114 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

It is noted that claims 59-114 are newly-added, and that claims 1-58 have been cancelled.

Throughout claims 59-114, each and every use of the following is indefinite and unclear in context: "capable of"; "can"; "may" (e.g., see claim 80); "adapted to"; "adaptable to"; "able to" (e.g., see claim 87); "preferably" (e.g., see claims 88 and 109); and "adapted for" (e.g., see claims 99 and 105). Please note that each of these words or phrases in the forgoing list except for those including the word "adapted" is indefinite and unclear in that it expresses potential rather than claiming the action in view clearly and definitely. For example, in claim 78, the phrase "capable of accepting" fails to claim the action of "accepting" clearly and definitely. As for the phrases listed above that include the word "adapted," these are indefinite and unclear in that these phrases fail to set forth clearly and definitely what the adaptation is. For example, on line 5 of independent claim 59, the phrase "adapted to provide global facilitation" is indefinite and unclear in that it fails to set forth clearly and definitely what the adaptation is of the recited structure that provides "global facilitation."

On line 3 of claim 59, the use of the shorthand "and/or" is indefinite and unclear in context.

On lines 2-3 of claim 59, the list "any one or more of transponders and repeaters ... analog signal gains" is indefinite and unclear in context.

On line 3 of claim 59, it is unclear in context what is meant by "analog signal gains" in that the term is used as if it recites a structural element.

On lines 7-8 of claim 59, the phrase "comparable to any of transmission lines and ... filtering" is indefinite and unclear in context.

On line 4 of claim 61, the phrase "compensated, equalized or cancelled" is indefinite and unclear in context.

On line 2 of claim 62, the phrase "all or most" is indefinite and unclear in context.

On lines 2-3 of claim 64, the phrase "as when interconnected to a telecommunication PHY" is indefinite and unclear in context as to what is meant structurally by this phrase.

On line 2 of claim 65, the phrase "superregenerative or switched regenerative amplifier" is indefinite and unclear in context.

On lines 2-3 of claim 66, the phrase "at a suitable intermediate frequency" is indefinite and unclear in context.

On line 2 of claim 67, the phrase "super regenerative or switched regenerative amplifier" is indefinite and unclear in context.

On line 4 of claim 67, the phrase "same or different frequency band" is indefinite and unclear in context.

On line 4 of claim 68, the phrase "same or different frequency band" is indefinite and unclear in context.

On line 2 of claim 69, the phrase "at a suitable intermediate frequency" is indefinite and unclear in context.

On line 2 of claim 80, it appears that "PHY of PLC" may be a typographical error for "PHY or PLC."

On line 2 of claim 81, the phrase "substantially all" is indefinite and unclear in context.

On lines 2-3 of claim 83, the list "any of power grid cables ... or waveguide mode" is indefinite and unclear in context.

On lines 1-3 of claim 84, the list "any of high voltage ... low voltage grid" is indefinite and unclear in context.

On lines 5-6 of claim 88, the phrase "between ground and the shield end or through a winding on one or both of the ferrites" is indefinite and unclear in context.

On lines 2-3 of claim 93, the phrase "any of accessing the ... together the infrastructure system" is indefinite and unclear in context.

On line 2 of claim 95, the phrase "to be installed" is indefinite and unclear in context in that the phrase expresses potential for the action of installing rather than claiming installing clearly and definitely.

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In claim 96, the phrase "at or near" is indefinite and unclear in context.

On lines 3-4 of claim 99, the phrase "any of couplers, transponders ... optic cables" is indefinite and unclear in context.

On lines 3-4 of claim 100, the phrase "any of couplers, transponders ... optic cables" is indefinite and unclear in context.

On line 3 of claim 102, "repeater or transponder" is indefinite in context.

In claim 106, "repeaters or transponders" and "galvanic or non-galvanic" are indefinite and unclear in context.

On line 4 of claim 107, the phrase "sampling antennas or sampling probes" is indefinite and unclear in context.

On line 3 of claim 108, the phrase "if economical" is indefinite in context.

On line 2 of claim 111, the phrase "that have built in intelligence" is indefinite and unclear in context.

On line 2 of claim 113, the phrase "a suitable number of" is indefinite and unclear in context.

On line 2 of claim 114, "transponder or repeater" is indefinite and unclear in context.

Throughout claims 59-114, the various uses of "high," "very high," "medium," and "low" with respect to quantities such as voltage or capacitance are indefinite and unclear in context in that it can not be readily ascertained what values are "low" or "medium" or "high" or "very high."

Dependent claims 60-114 are unclear in that they depend from unclear independent claim 59.

3. Newly-added claims 59-114 are so unclear that it is not possible to identify potential allowable subject matter.
4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bernarr E. Gregory whose telephone number is (571) 272-6972. The examiner can normally be reached on weekdays from 7:30 AM to 4:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas H. Tarcza, can be reached on (571) 272-6979. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Bernarr E. Gregory  
Primary Examiner  
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